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May 30, 2023

BY ECF

Hon. Analisa Torres
United States District Court
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

Re: *Dorothy Neske as parent and natural guardian of A.N et al. v. New York City Department of Education et al.*, 22-cv-6946 (AT)(SLC)

Dear Judge Torres:

I am the Assistant Corporation Counsel in the Office of the Corporation Counsel assigned to represent the Defendants in the above-referenced case, wherein Plaintiffs appeal the State Review Officer decision 22-020 and demand funding for tuition and related services. (Dkt. No. 1). The Court has ordered the Parties to file summary judgment motions, with briefing beginning on May 8, with Plaintiffs' motion (Dkt. Not 27). Plaintiffs timely filed their motion, and Defendants' cross motion and opposition is due on June 7, 2023. *Id.*

Defendants respectfully request a 21-day extension of time to complete their cross motion due to unexpected work obligations in other matters. Over the last two weeks, I have had multiple emergencies, including a motion for preliminary injunction, in other cases, necessitating briefing and Court appearances that were not previously anticipated. Also, I will be out of the office the remainder of this week on annual leave, and I was unable to complete the motion prior to my leave because of these emergencies. The requested extension will enable me to finalize my drafting of the motion papers.

This is Defendants' first request for an extension. Plaintiffs consents to this request. If granted, the extension would necessitate a new briefing schedule, which the Defendants propose below.

- Defendants to file their cross-motion for summary judgment and opposition by June 28, 2023.
- Plaintiffs to file their opposition and reply by July 19, 2023.
- Defendants shall file their reply, if any by August 9, 2023.

Accordingly, on behalf of the Defendants, I respectfully request an extension of time to file Defendants cross motion for summary judgment from June 7, 2023, to June 28, 2023.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Jay Cullen

Assistant Corporation Counsel

cc: **by ECF**
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GRANTED.

SO ORDERED.

Dated: May 31, 2023
New York, New York



ANALISA TORRES
United States District Judge